## REMARKS

This application has been reviewed in light of the Office Action dated July 2, 2008. Claims 44-49, 62, 63, 68, and 69 are pending in this application, of which Claims 44, 49, 62, 63, 68, and 69 are in independent form, and have been amended to define Applicants' invention more clearly. Favorable reconsideration is requested.

Claims 44, 46-49, 62, 63, 68, and 69 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,823,367 (*Wakasugi*) in view of RFC 2298 "An Extensible Message Format for Message Disposition Notifications", published in March 1998; Claims 44, 49, 62, 63, 68 and 69 were rejected as being unpatentable over U.S. Patent No. 6,687,742 (*Iwazaki*) in view of *Wakasugi*; and Claims 45-48 were rejected as being unpatentable over *Iwazaki*, in view of *Wakasugi*, and further in view of U.S. Patent No. 6,327,046 (*Miyamoto*).

Applicants submit that independent Claims 44, 49, 62, 63, 68, and 69, together with the claims dependent therefrom, are patentably distinct from the cited references for at least the following reasons.

Claim 44 is directed to an image communicating apparatus which is connected to a network capable of performing E-mail communication. The image communicating apparatus comprises a transmitting unit, a receiving unit, a requesting unit, a communications managing unit, a determining unit, an analyzing unit, a judgement unit, and a notifying unit. The transmitting unit is adapted to send E-mail data accompanied by an image file and the receiving unit is adapted to receive E-mail data. The requesting unit

is adapted to add, selectively, information for requesting a message disposition notification to the E-mail data to be sent to a receiver by the transmitting unit. The communication managing unit is adapted to manage transmission management information of the sent E-mail data. The determining unit is adapted to determine whether E-mail data received by the receiving unit is the message disposition notification to the E-mail data that the transmitting unit has sent. The analyzing unit is adapted to analyze how the sent E-mail data to which information for requesting the message disposition notification was added is processed by the receiver in a case where the determining unit determined that the E-mail received by the receiving unit is the message disposition notification, by analyzing the message disposition notification included in the E-mail data received by the receiving unit and capable of representing plural kinds of processed results as processed results for the sent E-mail by the receiver. The judgement unit is adapted to judge whether or not a result of the transmission of the sent E-mail data to which the information for requesting the message disposition notification was added was successful, based on an analysis result by the analyzing unit. The judgment unit classifies three or more processed results capable of being represented by the message disposition notification into two kinds of judged results concerning whether or not the result of the transmission of the sent E-mail was successful. The notifying unit is adapted to notify a user of the image communicating apparatus based on the transmission management information managed by the communication managing unit. The communication managing unit updates the transmission management information by information showing whether or not the transmission of the sent E-mail

data succeeded, on the basis of a judged result provided by the judgment unit. The notifying unit notifies the user of the image communicating apparatus whether or not the transmission of the sent E-mail data succeeded, on the basis of the updated transmission management information, so that the user of the image communicating apparatus can confirm whether or not the transmission of the sent E-mail data succeeded, without reading the message disposition notification.

Among other features of Claim 44 are the judgement unit and the analyzing unit. By virtue of the judgement unit, three or more processed results that can be represented by the message disposition notification are classified into two kinds of judged results concerning whether or not the result of the transmission of the sent E-mail was successful. By virtue of the analyzing unit, an analysis can be performed about how the sent E-mail data is processed by the receiver in a case where the determining unit determined that the E-mail received by the receiving unit is the message disposition notification. The analysis is performed by analyzing the message disposition notification included in the E-mail data received by the receiving unit and capable of representing plural kinds of processed results as processed results for the sent E-mail by the receiver.

*Wakasugi*, as understood by Applicants, relates to a network facsimile apparatus that transmits electronic mail through a network by a mail system thereon. *Wakasugi* does not teach or suggest the judgement unit of Claim 44. *Wakasugi* discusses that an MDN (message disposition notification) is received. For example, the MDN described as "Disposition manual-action/MDN-send-Manually; displayed" is disclosed in

Fig. 5 of *Wakasugi*. However, *Wakasugi* only mentions one processed result as an example. Accordingly, *Wakasugi* does not teach or suggest that three or more processed results capable of being represented by the message disposition notification are classified into two kinds of judged results concerning whether or not the result of the transmission of the sent E-mail was successful, as is claimed in Claim 44.

The deficiencies of *Wakasugi* are not remedied by *RFC 2298*. While *RFC 2298* discusses descriptions of processed results of plural kinds of MDNs, *RFC 2298* does not teach or suggest the judgement unit of Claim 44.

Further, with respect to an analyzing unit of Claim 44, the Office Action cites lines Fig. 5 and col. 7, lines 11-20 and lines 37-47 and col. 9, lines 50-60 and states "(as illustrated in Fig. 5, "Disposition manual-action/MDN-send Manually; displayed" is checked/analyzed to indicate the reception process of the sent email data received by the receiving unit)". This is an incorrect interpretation of the cited portions of *Wakasugi*. The relevant portion of *Wakasugi* (col. 9, lines 50-60) states

> "A description will now be given of a first embodiment of the reception process of the delivery confirmation mail at the step S105 in FIG. 3 with reference to FIG. 10, corresponding to the first embodiment of the mail transmitting process shown in FIG. 7. At a step S401 shown in FIG. 10, the network facsimile device NFA changes "--" to "OK" in the "result" field of the communication management information recorded in the communication management table 4a at the step S307 shown in FIG. 7, indicating that the mail has been delivered to the NFB correctly."

However, this portion of *Wakasugi* does not at all teach or suggest any process corresponding to "analyzing" as indicated in the Office Action. In the relevant portion of

*Wakasugi* (col. 9, lines 50-60), if the result of step S104 in the flowchart of Fig. 3 is 'YES' (i.e., if the received E-mail is a delivery notification), the flow advances to step S401 shown in Fig. 10 to change "--" to "OK" in the "result" field of the communication management information. Therefore, since the apparatus of *Wakasugi* sets the content of the delivery notification to "OK" without checking/analyzing it, even if *RFC 2298* is combined with *Wakasugi*, that apparatus would merely set the results to "OK" without checking/analyzing them.

Accordingly, Applicants submit that Claim 44 is patentable over *Wakasugi* and *RFC 2298,* whether considered either separately or in any permissible combination (if any), and respectfully request withdrawal of the rejection of that claim.

Further, the Office Action points to Fig. 6; Fig. 11; col. 7, line 11, to col. 8, line 12; col. 10, lines 17-26; and col. 12, lines 57-67, of *Iwazaki*, as allegedly teaching or disclosing the judgement unit and the analyzing unit claimed in Claim 44.

*Iwazaki* (at col. 7, line 11, to col. 8, line 12) discusses that a receiver receives an e-mail, generates an MDN, and transmits the generated MDN to the sender of the e-mail (*see*, e.g., col. 7, lines 11-50). Apparently, the sender, which receives the MDN, judges whether or not a capability of the receiver has been written in the MDN. If the capability has been written, the sender writes capability information to the address of the receiver in an address book (*see*, e.g., col. 7, lines 51-67). The processed result written in the MDN is recorded in transmission history information (*see*, e.g., col. 7, lines 61-64).

*Iwazaki* (at col. 10, lines 17-26) discusses that the receiver performs

processes such as printing of an image attached to the received e-mail, writes the processed result and the capability information of the receiver to the MDN, and transmits the obtained MDN to the sender (*see*, e.g., col. 10, lines 17-20). Further, the sender records the processed result in the received MDN to the transmission history information (*see*, e.g., col. 10, lines 20-26).

Moreover, *Iwazaki* (at col. 12, lines 57-67) discusses that the receiver generates the MDN in which the processed result and the capability information have been written, and returns the generated MDN to the sender (*see*, e.g., col. 12, lines 57-67). Further, the processed result, "processed/warning", is written in a deposition field and the processed result, "capability response", is written in a "warning" field.

Nothing in either *Iwazaki* or *Wakasugi* teaches or suggests the analyzing unit or the judgement unit of Claim 44. As understood by Applicants, in *Iwazaki*, if the processed result written in the MDN is notified to a user as it is, it is difficult for the user to know whether the communication result of e-mail succeeded or failed. In *Wakasugi*, although the communication result of e-mail is notified to the user as "OK" or "NG", in the case of receiving the MDN, all the communication results are notified as "OK". Namely, in this case, even if the receiver cannot correctly process the e-mail, the communication result is erroneously notified to the user as "OK". Accordingly, it is impossible to notify the user of all the communication results of e-mail.

However, by virtue of the analyzing unit and judgement unit of Claim 44, based on the three or more processed results of the MDN, it is judged whether or not the

communication result of e-mail is successful, and the judged result is notified to the user. Accordingly, the communication result, which can be easily understood by the user, can be effectively notified. In addition, the communication result of e-mail can correctly be notified according to the processed result.

In *Iwazaki* the capability information of the receiver is apparently obtained by using the MDN received from the receiver, the obtained capability information is written in the address of the receiver in the address book, and the image data suitable for the capability is transmitted to the receiver. However, *Iwazaki* does not teach or suggest an analyzing unit of Claim 44 that is adapted to analyze how the sent email data is processed by the receiver. Moreover, even if *Iwazaki* discloses that the processed result of the receiver written in the MDN is recorded in the transmission history information, *Iwazaki* does not teach or suggest the judgment unit of Claim 44 that judges based on the processed result of the MDN whether or not the transmission of e-mail was succeeded, much less that the plural processed results written in the MDN are classified into the two groups and it is judged, according to which of the groups the received MDN is included in, whether the transmission result of e-mail is successful.

Accordingly, Applicants submit that Claim 44 is patentable over *Iwazaki* and *Wakasugi,* whether considered either separately or in any permissible combination (if any), and respectfully request withdrawal of the rejection of that claim.

Independent Claims 49, 62, 63, 68, and 69 each recite features which are similar to those discussed above with respect to Claim 44. Therefore, those claims also are

believed to be patentable for at least the reasons discussed above.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

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